

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

RANDY MCDONALD, individually and on behalf of all others similarly situated,

Plaintiff,

v.

ENCOMPASS SERVICES, LLC.,

Defendant.

Civil Action No. 2:16-cv-1203-LPL

ELECTRONICALLY FILED

**ORDER GRANTING PLAINTIFF'S
UNOPPOSED MOTION FOR APPROVAL OF FLSA SETTLEMENT**

Having heard and considered Plaintiff's Unopposed Motion for Approval of FLSA Settlement, the Court finds that the settlement should be APPROVED. The settlement is fair, reasonable, and the result of arms length negotiations of a bona fide dispute regarding the payment of wages to day rate workers of Encompass and hourly workers of Encompass receiving a per diem. Plaintiff's Motion is GRANTED and the parties are ORDERED to facilitate the notice process and send settlement checks to the day rate and per diem Class Members. As a result, the Court certifies the day rate class and per diem class for purposes of the settlement. Upon signing and accepting the settlement check, Plaintiff and Class Members shall be deemed to have accepted the terms of the settlement agreement and released Defendant from any and all wage and hour claims. Therefore, this case is DISMISSED and all Parties are responsible for their respective attorney fees, unless so otherwise bargained for in the settlement agreement.

IT IS SO ORDERED ON 10/30, 2017.


Magistrate Judge Lisa Pupo Lenihan